

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POLAROID CORPORATION,

Plaintiff and Counterclaim-Defendant,

v.

C.A. No. 06-738 (SLR)

HEWLETT-PACKARD COMPANY,

Defendant and Counterclaim-Plaintiff.

**HEWLETT-PACKARD COMPANY'S MOTION TO BIFURCATE
LIABILITY AND DAMAGES AND STAY DAMAGES DISCOVERY**

Pursuant to Rule 42(b) of the Federal Rules of Civil Procedure, Defendant and Counterclaim-Plaintiff, Hewlett-Packard Company moves to bifurcate trial on the issues of liability and damages, and to stay discovery on damages.

Dated: November 6, 2007

FISH & RICHARDSON P.C.

By: /s/ William J. Marsden, Jr.

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CERTIFICATE PURSUANT TO LOCAL RULE 7.1.1

I hereby certify that counsel for Hewlett-Packard Company has made a reasonable effort to reach agreement with Polaroid's counsel on the matters set forth in the motion but has been advised that Polaroid will oppose the motion.

Dated: November 6, 2007

/s/ William J. Marsden, Jr.

William J. Marsden, Jr. (#2247)

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2007, I electronically filed with the Clerk of Court the foregoing HEWLETT-PACKARD COMPANY'S MOTION TO BIFURCATE LIABILITY AND DAMAGES AND STAY DAMAGES DISCOVERY using CM/ECF which will send electronic notification of such filing(s) to the following counsel:

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In addition, service will be made on the following counsel of record as indicated:

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HEWLETT-PACKARD COMPANY,

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**ORDER [PROPOSED] GRANTING HEWLETT-PACKARD COMPANY'S MOTION
TO BIFURCATE LIABILITY AND DAMAGES AND STAY DAMAGES DISCOVERY**

THIS MATTER having come before the undersigned on Defendant Hewlett-Packard Company's Motion to Bifurcate Liability and Damages and Stay Damages Discovery, the undersigned having considered the points and authorities of Plaintiff Polaroid Corporation, ("Plaintiff" or "Polaroid") and Defendant Hewlett-Packard Company ("Defendant" or "HP"), finds that HP's Motion is well taken and should be GRANTED.

IT IS THEREFORE ORDERED that the liability and damages issues regarding the above styled case shall be bifurcated.

IT IS FURTHER ORDERED that all discovery regarding damages issues shall be stayed unless and until there is a finding of liability upon which damages may be based.

Signed this _____ day of November, 2007.

UNITED STATES DISTRICT JUDGE